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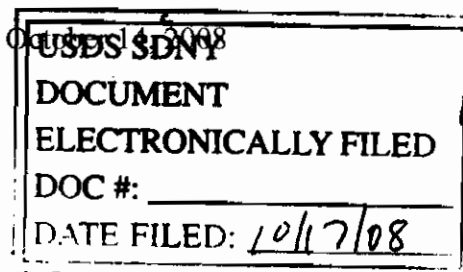
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**VIA FEDERAL EXPRESS**  
 Honorable Richard J. Sullivan  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 615  
 New York, NY 10007

**MEMO ENDOFENCED**

**Re: Peter W. Lindner v. IBM Corporation, et al**  
**Index No. 06 CV 4751 (KMK)**

Dear Judge Sullivan:

We are counsel for Defendants in the above referenced case. We received notification that a conference has been scheduled for October 20, 2008. We write to Your Honor to advise you of a scheduling conflict. On October 20, 2008, I am scheduled to attend and speak at a program for the Association of Corporate Counsel ("ACC") in Seattle, Washington. This is a long-standing commitment and the firm has purchased my airline tickets and made hotel reservations. Accordingly, we respectfully request an adjournment. Counsel for Plaintiff does not oppose this request. Counsel for Plaintiff and counsel for Defendants are available anytime on October 29, 2008, prior to 11 a.m. on October 31, 2008, anytime on November 3, 2008, and late afternoon on November 5, 2008. Thank you for your consideration.

Respectfully submitted,

JACKSON LEWIS LLP

*Kevin G. Lauri*  
 Kevin G. Lauri

Oct 16 2008

KGL:sm

cc: Kenneth W. Richardson, Esq.  
 Dana Glick Weisbrod, Esq.

*Conference adjourned to  
 November 3, 2008 @ 9AM.*

SO ORDERED

Date: 10/16/08

*[Signature]*  
 RICHARD J. SULLIVAN  
 U.S.D.J.